

## RESPONSIBILITY FOR FUNCTIONS

The Local Government Act 2000 provides for certain functions not being exercised by the Cabinet, and others to be a matter for local choice.

All other functions will be exercised by the Cabinet.

### 1. *Responsibility for Council Functions*

Committee	Functions	Delegation of Functions
Council	<p>Power to make standing orders.</p> <p>Power to appoint staff, and to determine the terms and conditions on which they hold office (including procedures for their dismissal).</p> <p>Power to make standing orders as to contracts.</p> <p>Duty to make arrangements for proper administration of financial affairs etc.</p> <p>Power to appoint officers for particular purposes (appointment of "proper officers").</p> <p>Duty to designate officer as the head of the paid service, and to provide staff, etc.</p> <p>Duty to designate officer as the monitoring officer, and to provide staff, etc.</p>	

Committee	Functions	Delegation of Functions
Council (cont)	Powers to make payments or provide other benefits in cases of maladministration etc.	
Development Control	<p>Planning and Conservation - functions relating to Town and Country planning and development control as specified in Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (The Functions Regulations)</p> <p>Approval of the Council's formal response to consultations by Milton Keynes Partnership Committee.</p> <p>Power to create footpath or bridleway by agreement.</p> <p>Power to create footpaths and bridleways.</p> <p>Duty to keep register of information with respect to maps, statements and declarations.</p> <p>Power to stop up footpaths and bridleways.</p> <p>Power to determine application for public path extinguishment order.</p>	Officers of the Council are authorised to take decisions in accordance with a scheme of delegation approved by the Council on 12 March 2002 and amended from time to time

Committee	Functions	Delegation of Functions
Development Control (cont)	<p>Power to make a rail crossing extinguishment order.</p> <p>Power to make a special extinguishment order.</p> <p>Power to divert footpaths and bridleways.</p> <p>Power to make a public path diversion order.</p> <p>Power to make a rail crossing diversion order.</p> <p>Power to make a special diversion order.</p> <p>Power to require applicant for order to enter into agreement.</p> <p>Power to make an SSSI diversion order.</p> <p>Duty to keep register with respect to applications under Sections 118ZA, 118C, 119ZA and 119C of the Highways Act 1980.</p> <p>Power to decline to determine certain applications.</p> <p>Duty to assert and protect the rights of the public to use and enjoyment of highways.</p> <p>Duty to serve notice of proposed action in relation to obstruction.</p>	

Committee	Functions	Delegation of Functions
Development Control (cont)	<p>Power to apply for variation of order under Section 130B of the Highways Act 1980.</p> <p>Power to authorise temporary disturbance of surface of footpath or bridleway.</p> <p>Power temporarily to divert footpath or bridleway.</p> <p>Functions relating to the making good of damage and the removal of obstructions.</p> <p>Powers relating to the removal of things so deposited on highways as to be a nuisance.</p> <p>Power to extinguish certain public rights of way.</p> <p>Duty to keep definitive map and statement under review.</p> <p>Power to include modifications in other orders.</p> <p>Duty to keep register of prescribed information with respect to applications under Section 53(5) of the Wildlife and Countryside Act 1981.</p> <p>Duty to reclassify roads used as public paths.</p>	

Committee	Functions	Delegation of Functions
Development Control (cont)	<p>Power to prepare map and statement by way of consolidation of definitive map and statement.</p> <p>Power to designate footpath as cycle track.</p> <p>Power to extinguish public right of way over land acquired for clearance.</p> <p>Power to authorise stopping-up or diversion of footpath or bridleway.</p> <p>Power to extinguish public rights of way over land for planning purposes.</p> <p>Power to enter into agreements with respect to means of access.</p> <p>Power to provide access in absence of agreement.</p> <p>Power to make limestone pavement order.</p> <p>Powers relating to the protection of important hedgerows.</p> <p>Powers relating to the preservation of trees.</p> <p>To receive, consider and make recommendations to the Council, Cabinet or other appropriate body on consultation papers relating to any aspects of development control.</p>	

<b>Committee</b>	<b>Functions</b>	<b>Delegation of Functions</b>
Licensing Committee	<p>Licensing functions relating to Licensing as specified in list B of Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (The Functions Regulations)</p> <p>Licensing functions arising from the Licensing Act 2003</p> <p>Licensing functions arising from the Gambling Act 2005</p> <p>Power to designate officer of a licensing authority as an authorised person for a purpose relating to premises.</p> <p>Power to institute criminal proceedings for offences under Section 342 of the Gambling Act 2005.</p> <p>Power to exchange information.</p> <p>Functions relating to the determination of fees for premises licences.</p>	Officers of the Council are authorised to take decisions in accordance with a scheme of delegation approved by the Council on 13 January 2004 and amended from time to time
For the avoidance of doubt any decision which relates to the adoption of, or change in Policy, except where prevented by legislation, will be referred to the Council for decision.		
Regulatory Committee	Regulatory Functions specified in list B of Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (The Functions Regulations) and the Health Act 2006	Officers of the Council are authorised to take decisions in accordance with a scheme of delegation approved by the Council on 13 January 2004 and amended from time to time